



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/820,511	03/29/2001	Don Rutledge Day	AUS920010001US1	5448

7590 07/12/2005

Duke W. Yee
Carstens, Yee & Cahoon, LLP
P.O. Box 802334
Dallas, TX 75380

EXAMINER

NGUYEN, MAIKHANH

ART UNIT	PAPER NUMBER
----------	--------------

2176

DATE MAILED: 07/12/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

47

Office Action Summary

Application No.

09/820,511

Applicant(s)

DAY ET AL.

Examiner

Maikhanh Nguyen

Art Unit

2176

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 27 April 2005.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1,2,4-9,11-13,15-20 and 22-26 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1,2,4-9,11-13,15-20 and 22-26 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 29 May 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

DETAILED ACTION

1. This action is responsive to communications: Amendment filed 04/27/2005 to the original application filed 03/29/2001.
2. Claims 1-2, 4-9, 11-13, 15-20 and 22-26 are currently pending in this application. Claims 3, 10, 14, and 21 have been cancelled. Claims 1, 8, 12, 19, 23, and 25 are independent claims.

Claim Rejections - 35 USC § 101

3. 35 U.S.C. 101 reads as follows:

Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions and requirements of this title.

4. Claims 23-26 are rejected under 35 U.S.C. 101 because the claimed invention is directed to non-statutory subject matter.

Claims 23-26 are not limited to tangible embodiments. In view of Applicant's disclosure, specification page 20 line 28- page 21 line 8, the medium is not limited to tangible embodiments, instead being defined as including both tangible embodiments (e.g., a floppy disk, a RAM, CD-ROMs) and intangible embodiments (e.g., signal bearing media, transmission-type media, light wave transmissions). As such, the claim is not limited to statutory subject matter and is therefore non-statutory.

To overcome this type of 101 rejection the claims need to be amended to include only the physical computer media and not a transmission media or other intangible or non-functional media. For the specification at the bottom, carrier medium and transmission media would be not statutory but storage media would be statutory.

Claim Rejections - 35 USC § 112

5. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

Claims 1-2 and 4-7 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

- a. The phrase “a client” (claim 1, line 3) is indefinite. Since “the browser” claim basis in the preamble, it is unclear to the Examiner which client is being referred to.
- b. Dependent claims 2 and 4-7 are rejected for fully incorporating the deficiencies of their base claim.

Claim Rejections - 35 USC § 103

Art Unit: 2176

6. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

7. Claims 1-2, 4-7, 12-13, 15-18, and 23-24 are rejected under 35 U.S.C. 103(a) as being unpatentable over **Guedalia** (U.S. 6,121,970 – issued 09/2000) in view of **Sussman** (U.S. 5,586,196 – filed 12/1996, as cited by Applicant's IDS, filed 05/29/2001).

As to independent claim 1:

- a. Guedalia teaches method for magnifying a portion of a document in a browser *on a client (see Abstract)*, comprising:
- (i) presenting a first document in a first display in the browser on a client (e.g., *receiving by the client computer from the server an HTML page; Abstract/col.4, lines 29-41/col.5, lines 52-53/col.8, lines 51-52*);
 - (ii) generating a magnified display of the first document in memory at the client (e.g., *a user 32, who operates the client computer 20, interactively controls the image portion displayed ... views the display screen; col.12, lines 51-58*);

Art Unit: 2176

- (iii) displaying in a second display in the browser a selected portion of the magnified display corresponding to a selected portion of the first document (*e.g., a second HTML page, generated by the server, in response to the sub-region which was selected; col.18, lines 45-51*);
 - (iv) response to receiving a request for an action within the second display; and performing the action with respect to the first document (*e.g., items 86-94 in Fig.4*).
- b. Guedalia teach image map (*image maps; col.14, line 33*); however, does not explicitly teach “mapping the selected portion of the magnified display to a display space of the selected portion of the first document.”
- c. Sussaman teaches mapping the selected portion of the magnified display to a display space of the selected portion of the first document (*col.29, lines 42-45/ col.30, lines 37-46 & Fig.21*).
- d. It would have been obvious to one of ordinary skill in the art at the time of the invention was made to include the feature from Angiulo in the system of Sussaman because it would provided the capability for achieving the desired display effects while minimizing memory and computing requirements through a combined hardware/software strategy based on a specific organization of computer memory.

As to dependent claim 2:

Guedalia teaches a selection of a link within the magnified portion and the step of performing the action comprises retrieving and displaying a second document

Art Unit: 2176

corresponding to the link in the first display (*e.g., generate a new HTML page with a link to a second image, the second image being enlarged portion of the first image, and the enlarged portion of the first image corresponding to the selected location ...sending by the server computer to the client computer the new HTML page; col.17, lines 56-63*).

As to dependent claim 4:

Guedalia teaches mapping the magnified portion to the first document (*e.g., a link to a second image, the second image being an enlarged portion of the first image; Abstract*) to form an imagemap (*e.g., image maps; col.3, lines 33-35*).

As to dependent claim 5:

- a. Guedalia teaches creating the second display, wherein the second display has a magnified display space based on a magnification factor (*col.13, line 64- col. 14, line 17*), and populating pixels in the second display to form a magnified display (*col.14, line 62 – col.15, line 10*).
- b. Guedalia, however, does not explicitly teach “*reading pixels from video memory for the magnified portion in a normal display space for the original document.*”
- c. Sussaman teaches reading pixels from video memory for the magnified portion in a normal display space for the original document (*col.3, lines 24-67*).
- d. It would have been obvious to one of ordinary skill in the art at the time of the invention was made to include the feature from Angiulo in the system of Sussaman because it would have provided the capability for achieving

the desired display effects while minimizing memory and computing requirements through a combined hardware/software strategy based on a specific organization of computer memory.

As to dependent claim 6:

Guedalia teaches populating pixels in the second display comprises for each pixel of the normal display space, populating adjacent pixels based on the magnification factor (*col.8, lines 55-60 & col.14, line 62-col.15, line 10*).

As to dependent claim 7:

Guedalia teaches mapping a magnified display space for the magnified portion to corresponding pixels in a normal display space for the original document (*e.g., The response image portion is magnified to fit the size of the full view window, giving the effect of a zoom-in; col.14, lines 14-17 and col. 16, lines 39-54*).

As to independent claim 12:

It is directed to an apparatus for performing the method of claim 1, and is similarly rejected under the same rationale.

As to dependent claim 13:

It includes the same limitations as in claim 2, and is similarly rejected under the same rationale.

As to dependent claims 15-18:

They include the same limitations as in claims 4-7, and are similarly rejected under the same rationale.

As to independent claim 23:

Art Unit: 2176

It is directed to a computer program product for implementing the method of claim 1, and is similarly rejected under the same rationale.

As to dependent claim 24:

It includes the same limitations as in claim 2, and is similarly rejected under the same rationale.

8. Claims 8-9, 11, 19-20, 22, and 25-26 are rejected under 35 U.S.C. 103(a) as being unpatentable over **Guedalia** in view of **Hsing et al.** (U.S. 6,826,726, filed 08/2001, priority 08/2000).

As to independent claim 8:

- a. Guedalia teaches a method for magnifying a portion of a document in a browser (*e.g., the HTML page ...the second image being an enlarged portion of the first image; see Abstract*), comprising:
- (i) presenting a first document in a first display in the browser (*e.g., receiving by the client computer from the server an HTML page; Abstract/col.4, lines 29-41/col.5, lines 52-53/col.8, lines 51-52*);
 - (ii) receiving a selection of a portion of the first document (*e.g., sending by the client computer to the server computer an indication of the sub-region selected by the user; Abstract*);
 - (iii) presenting the magnified display (*e.g., the second image being an enlarged portion of the first image, and the enlarged portion of the*

first image corresponding to the selected location; Abstract / col.13, lines 60-67 and col.17, lines 56-61);

(iv) receiving a request for an action within the magnified display; and performing the action with respect to the magnified display (*e.g., items 86-94 in Fig.4*).

b. Guedalia does not explicitly teach “*analyzing a document object model for the first document; and identifying a portion of the document object model that corresponds to the selected portion of the first document.*”

d. Hsing teaches analyzing a document object model for the first document (*col.3, line 60-col.4, line 9*); and identifying a portion of the document object model that corresponds to the selected portion of the first document (*col.4, lines 30-44 and Fig. 8*).

e. It would have been obvious to one of ordinary skill in the art at the time of the invention was made to include the feature from Hsing in the system of Guedalia because it would have provided the capability for reducing the number of accesses from client to server that will require the transmission of only the smallest amount of data is necessary to provide complete information for the server to update its database.

As to dependent claim 9:

Guedalia teaches a selection of a link within the magnified portion and the step of performing the action comprises retrieving and displaying a second document corresponding to the link in the first display (*e.g., generate a new HTML page with a link to a second image, the second image being enlarged portion of the first*

image, and the enlarged portion of the first image corresponding to the selected location ...sending by the server computer to the client computer the new HTML page; col.17, lines 56-63).

As to dependent claim 11:

Guedalia teaches adjusting attributes of nodes based on a magnification factor (*col.16, lines 58-col.17, line 10*).

As to independent claim 19:

It is directed to an apparatus for performing the method of claim 8, and is similarly rejected under the same rationale.

As to dependent claim 20:

It includes the same limitations as in claim 2, and is similarly rejected under the same rationale.

As to dependent claim 22:

It includes the same limitations as in claim 11, and is similarly rejected under the same rationale.

As to independent claim 25:

It is directed to a computer program product for implementing the method of claim 8, and is similarly rejected under the same rationale.

As to dependent claim 26:

It includes the same limitations as in claim 9, and is similarly rejected under the same rationale.

Response to Arguments

9. Applicants' arguments filed 04/27/2005 have been fully considered but they are not persuasive.

a. Applicant argues that *Guedalia and Angiulo et al.*, taken alone or in combination, fail to teach or suggest magnifying a portion of a document in a browser. (Remarks, page 8)

In response, Guedalia's teachings "the HTML page ...the second image being an enlarged portion of the first image" (see Abstract) meet the limitations as claimed by Applicant.

b. Applicant argues that *Guedalia does not teach "generating a magnified display of the first document in memory at the client."* (Remarks, page 10)

In response, Guedalia does teach generating a magnified display of the first document in memory at the client (a user 32, who operates the client computer 20, interactively controls the image portion displayed ...views the display screen; col.12, lines 51-58).

c. Applicant argues that *Guedalia does not teach "responsive to receiving a request for an action within the second display, performing the action with respect to the first document."* (Remarks, page 11)

In response, items 86-94 in Fig.4 show the limitations as claimed.

- d. Applicant argues that *Guedalia fails to teach or suggest "mapping the selected portion of the magnified display to a display space of the selected portion of the first document."* (Remarks, page 12)

In response, the rejection above shows how the teachings of the newly applied prior art (Sussman) meet the claim limitations.

Conclusion

10. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Gross et al. U.S. Patent No. 6,044,385 issued: Mar. 28, 2000

Marsha Durham, "Web Sites for the Language-Impaired", IEEE Transaction on Professional Communication, Vol.42, No.3, September 1999, pp. 175-177.

Moehling et al., "Considering Accessibility for Visually Impair Users", Communication Jazz: Improving the New International Communication Culture, IEEE, 1999, pp. 335-344.

Zajicek et al., "Enabling Viusally Impaired People to Use The Internet", The Institution of Electrical Engineers, EEE, 1997, pp.1-3.

11. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Maikhanh Nguyen whose telephone number is (571) 272-4093.

Art Unit: 2176

The examiner can normally be reached on Monday - Friday from 9:00am – 5:30 pm. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Heather Herndon can be reached on (571) 272-4136.

The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

MN

William J. Bashore
WILLIAM BASHORE
PRIMARY EXAMINER
7/8/2005